

**2013 DRAFTING REQUEST**

**Assembly Substitute Ammendment (ASA-AJR2)**

Received: 2/12/2013 Received By: rchampag  
Wanted: Today Same as LRB:  
For: Peter Barca (608) 266-5504 By/Representing: Matt  
May Contact: Drafter: rchampag  
Subject: Constitutional Amendments Addl. Drafters:  
Employ Pub - retirement Extra Copies:

Submit via email: YES  
Requester's email: Rep.Barca@legis.wisconsin.gov  
Carbon copy (CC) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Constitutional Funds

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rchampag 2/12/2013	kfollett 2/12/2013	rschluet 2/12/2013	_____			
/1				_____	lparisi 2/12/2013	lparisi 2/12/2013	

FE Sent For:

<END>

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1/?	rchampag	1/15 F 2/12					
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Handwritten notes: 1/15 F, 2/12, and a signature.

FE Sent For:

<END>

Please jacket

## Champagne, Rick

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**From:** Egerer, Matt  
**Sent:** Tuesday, February 12, 2013 10:11 AM  
**To:** Champagne, Rick  
**Subject:** Sub Revision

Can we get another amendment on AJR 2 that includes all the 3 amendments Chris and I have asked for on that resolution (EITC/Homestead, Foreclosure, and WRS)?

Thanks,

Matt Egerer  
Office of Representative Peter Barca  
Assembly Democratic Leader  
608.266.5504



NOW

LRBs 0010/1

RAC/ SRM/ MES

kjf

ASSEMBLY SUBSTITUTE AMENDMENT,  
TO ASSEMBLY JOINT RESOLUTION 2

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creation of a public employee trust fund; <sup>and</sup> creation of a tax credit fund

1 **Relating to:** creation of a department of transportation, creation of a transportation  
2 fund, and deposit of funds into the transportation fund; creation of a national  
3 mortgage settlement fund for deposit of moneys from the National Mortgage  
4 Settlement of 2012 (first consideration).

5 **Resolved by the assembly, the senate concurring, That:**

6 **SECTION 1.** Section 9 of article IV of the constitution is renumbered section 9  
7 (1) of article IV.

8 **SECTION 2.** Section 9 (2) of article IV of the constitution is created to read:  
9 [Article IV] Section 9 (2) The legislature shall provide by law for the  
10 establishment of a department of transportation and a transportation fund.

11 **SECTION 3.** Section 9 (3) of article IV of the constitution is created to read:  
12 [Article IV] Section 9 (3) The legislature shall provide by law for the  
13 establishment of a national mortgage settlement fund. The national mortgage

1 settlement fund shall be established as a trust fund into which are deposited all  
 2 proceeds from the National Mortgage Settlement of 2012. The national mortgage  
 3 settlement fund is a public trust and shall be managed, administered, invested, and  
 4 otherwise dealt with solely for the purpose of ensuring that the expenditure of  
 5 moneys in the fund are used to assist homeowners and shall not be used for any other  
 6 purpose. If before the date of ratification of this section any proceeds from the  
 7 National Mortgage Settlement of 2012 have been expended by the state for purposes  
 8 other than to assist homeowners, the legislature shall by law transfer from the  
 9 general fund to the national settlement fund an amount equal to the funds expended  
 10 by the state for purposes other than to assist homeowners.

11 **SECTION 4.** Section 11 of article VIII of the constitution is created to read:

12 [Article VIII] Section 11. All funds collected by the state from any taxes or fees  
 13 levied or imposed for the licensing of motor vehicle operators, for the titling,  
 14 licensing, or registration of motor vehicles, for motor vehicle fuel, or for the use of  
 15 roadways, highways, or bridges, and from taxes and fees levied or imposed for  
 16 aircraft, airline property, or aviation fuel or for railroads or railroad property shall  
 17 be deposited only into the transportation fund or with a trustee for the benefit of the  
 18 department of transportation or the holders of transportation-related revenue  
 19 bonds, except for collections from taxes or fees in existence on December 31, 2010,  
 20 that were not being deposited in the transportation fund on that date. None of the  
 21 funds collected or received by the state from any source and deposited into the  
 22 transportation fund shall be lapsed, further transferred, or appropriated to any  
 23 program that is not directly administered by the department of transportation in  
 24 furtherance of the department's responsibility for the planning, promotion, and  
 25 protection of all transportation systems in the state except for programs for which

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1       there was an appropriation from the transportation fund on December 31, 2010. In  
2       this section, the term “motor vehicle” does not include any all-terrain vehicles,  
3       snowmobiles, or watercraft.

4               **SECTION 5. Numbering of new provision.** If another constitutional  
5       amendment ratified by the people creates the number of any provision created in this  
6       joint resolution, the chief of the legislative reference bureau shall determine the  
7       sequencing and the numbering of the provisions whose numbers conflict.

8               *Be it further resolved, That* this proposed amendment be referred to the  
9       legislature to be chosen at the next general election and that it be published for three  
10      months previous to the time of holding such election.

11

(END)



**ASSEMBLY SUBSTITUTE AMENDMENT ,  
TO ASSEMBLY JOINT RESOLUTION 2**

1 **Relating to:** creation of a department of transportation, creation of a transportation  
2 fund, and deposit of funds into the transportation fund; creation of a public  
3 employee trust fund (first consideration).

4 ***Resolved by the assembly, the senate concurring, That:***

5 **SECTION 1.** Section 9 of article IV of the constitution is renumbered section 9  
6 (1) of article IV.

7 **SECTION 2.** Section 9 (2) of article IV of the constitution is created to read:  
8 [Article IV] Section 9 (2) The legislature shall provide by law for the  
9 establishment of a department of transportation and a transportation fund.

10 **SECTION 3.** Section 9 ~~(2)~~<sup>(4)</sup> of article IV of the constitution is created to read:  
11 [Article IV] Section 9 ~~(2)~~<sup>(4)</sup> The legislature shall provide by law for the  
12 establishment of a public employee trust fund. The public employee trust fund shall  
13 be established to aid public employees in protecting themselves and their

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1 beneficiaries against the financial hardships of old age, disability, death, illness, and  
2 accident. The public employee trust fund is a public trust and shall be managed,  
3 administered, invested, and otherwise dealt with solely for the purpose of ensuring  
4 the fulfillment at the lowest possible cost of the benefit commitments to public  
5 employees, as established by law, and shall not be used for any other purpose.  
6 Revenues collected for and balances in the public employee trust fund shall be used  
7 only for the purposes of the public employee trust fund.

8 **SECTION 4.** Section 11 of article VIII of the constitution is created to read:

9 [Article VIII] Section 11. All funds collected by the state from any taxes or fees  
10 levied or imposed for the licensing of motor vehicle operators, for the titling,  
11 licensing, or registration of motor vehicles, for motor vehicle fuel, or for the use of  
12 roadways, highways, or bridges, and from taxes and fees levied or imposed for  
13 aircraft, airline property, or aviation fuel or for railroads or railroad property shall  
14 be deposited only into the transportation fund or with a trustee for the benefit of the  
15 department of transportation or the holders of transportation-related revenue  
16 bonds, except for collections from taxes or fees in existence on December 31, 2010,  
17 that were not being deposited in the transportation fund on that date. None of the  
18 funds collected or received by the state from any source and deposited into the  
19 transportation fund shall be lapsed, further transferred, or appropriated to any  
20 program that is not directly administered by the department of transportation in  
21 furtherance of the department's responsibility for the planning, promotion, and  
22 protection of all transportation systems in the state except for programs for which  
23 there was an appropriation from the transportation fund on December 31, 2010. In  
24 this section, the term "motor vehicle" does not include any all-terrain vehicles,  
25 snowmobiles, or watercraft.



**ASSEMBLY SUBSTITUTE AMENDMENT ,  
TO ASSEMBLY JOINT RESOLUTION 2**

1 **To renumber** section 9 of article IV; and **to create** section 9 (2) of article IV, section  
2 9 (3) of article IV and section 11 of article VIII of the constitution; **relating to:**  
3 creation of a department of transportation, creation of a transportation fund,  
4 and deposit of funds into the transportation fund; and creation of a tax credit  
5 fund (first consideration).

6 **Resolved by the assembly, the senate concurring, That:**

7 **SECTION 1.** Section 9 of article IV of the constitution is renumbered section 9  
8 (1) of article IV.

9 **SECTION 2.** Section 9 (2) of article IV of the constitution is created to read:  
10 [Article IV] Section 9 (2) The legislature shall provide by law for the  
11 establishment of a department of transportation and a transportation fund.

12 **SECTION 3.** Section 9 (5) of article IV of the constitution is created to read:

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(5)



(5)

1

[Article IV] Section 9 (8) The legislature shall provide by law for the establishment of a refundable individual income tax credit that is calculated as a percentage of the federal earned income tax credit, a refundable individual income tax credit to provide relief to modest and moderate income individuals who own or rent their homestead, and a tax credit fund. From funds collected by the state from taxes imposed, that would otherwise be deposited into the general fund, an amount that is sufficient to pay all eligible claims for the income tax credits described in this subsection shall be deposited into the tax credit fund for the benefit of eligible claimants of these refundable individual income tax credits. None of the funds collected or received by the state from any source and deposited into the tax credit fund shall be lapsed, further transferred, or appropriated to any program or used for any purpose other than for the benefit of eligible claimants of these tax credits. Revenues collected for and balances in the tax credit fund shall be used only for the purposes of paying eligible claims for the tax credits described in this subsection.

end  
2-11

**SECTION 4.** Section 11 of article VIII of the constitution is created to read:

[Article VIII] Section 11. All funds collected by the state from any taxes or fees levied or imposed for the licensing of motor vehicle operators, for the titling, licensing, or registration of motor vehicles, for motor vehicle fuel, or for the use of roadways, highways, or bridges, and from taxes and fees levied or imposed for aircraft, airline property, or aviation fuel or for railroads or railroad property shall be deposited only into the transportation fund or with a trustee for the benefit of the department of transportation or the holders of transportation-related revenue bonds, except for collections from taxes or fees in existence on December 31, 2010, that were not being deposited in the transportation fund on that date. None of the funds collected or received by the state from any source and deposited into the